



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|----------------------------------------------------------------------------------------------|-------------|----------------------|---------------------|------------------|
| 10/605,990 | 11/12/2003 | Peter A. Habitz | BUR920020122US1 | 2989 |
| 30678 | 7590 | 12/01/2005 | EXAMINER | |
| CONNOLLY BOVE LODGE & HUTZ LLP SUITE 800 1990 M STREET NW WASHINGTON, DC 20036-3425 | | | WACHSMAN, HAL D | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2857 | |

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

10-6051990

| | | | |
|---------------------------------|-------------|---------------------------------------------------|---------------------|
| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---------------------------------------------------|---------------------|

| |
|----------|
| EXAMINER |
|----------|

| | |
|----------|-------|
| ART UNIT | PAPER |
|----------|-------|

11282005

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Hal D Wachsman
Primary Examiner
Art Unit: 2857

1. The reply filed on 9-20-05 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

a) The claims filed with the reply of 9-20-05 are improper under 37 C.F.R. 1.121 as the status identifiers were missing. In addition, under 37 C.F.R. 1.121 only one claim listing is filed with markings to show the changes and the claim listing is one of the sections of the reply. The Examiner respectfully notes that under 37 C.F.R. 1.125(b) claims are **excluded** from the substitute specification. Appropriate correction is required.

b) The Remarks section of the reply filed 9-20-05 indicates that the amendments raise no question of new matter. However, as required by 37 C.F.R. 1.125(b), there must be a statement that the *substitute specification* includes no new matter. Appropriate correction is required.


c) The replacement drawings filed with the reply of 9-20-05 are improper under 37 C.F.R. 1.121 because each of these drawing sheets were not identified in the top margin as "Replacement Sheet". In addition, if any amendments have been made to the drawings, there is no explanation of the changes in the Remarks section of the reply. Appropriate correction is required.

2. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hal D. Wachsman whose telephone number is 571-272-2225. The examiner can normally be reached on Monday to Friday 7:00 A.M. to 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Hoff can be reached on 571-272-2216. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Hal D Wachsman
Primary Examiner
Art Unit 2857

HW
November 28, 2005